



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

June 10, 2016

Bryan Haney, P.G.
Remediation Project Manager
Koch Remediation & Environmental Services, LLC
4111 East 37th St N
Wichita, Kansas 67220-3203

Dear Mr. Haney:

This letter is in response to the Combined Remedial Investigation Report, Risk Assessment Report and Cleanup Plan for the Former SemMaterials, L.P. Facility (the Facility) dated February 12, 2016, and the June 2, 2016 Response to Comments letter which serves as an addendum to the February 2016 report. Both were provided to the U.S. Environmental Protection Agency Region III (EPA) by Arcadis U.S., Inc., on behalf of Koch Materials, LLC (KM). The Facility is located in Point Township, Pennsylvania approximately 2,000 feet northwest of the intersection of 4th and Duke Streets in the Borough of Northumberland. The above documents describe KM's plans to address the polychlorinated biphenyl (PCB) and other soil contamination at the Facility using a combination of the statewide health standard and site-specific standard under the Pennsylvania Department of Environmental Protection's (PADEP's) Land Recycling Program (Act 2). The cleanup has also been designed to meet the PCB remediation requirements of the Toxic Substances Control Act (TSCA), 15 U.S.C. §§2601-2695d, and the regulations thereunder codified at 40 C.F.R. Part 761.

EPA has reviewed the February 12, 2016 combined report and its June 2, 2016 addendum. Based upon the information provided in the cleanup plan, we find that it is consistent with requirements of 40 C.F.R. § 761.61 (c) and that implementation of the cleanup plan will not pose an unreasonable risk of injury to health or the environment. EPA hereby approves the cleanup plan for the Former SemMaterials, L.P. Facility located in Point Township, Pennsylvania. This approval is subject to the conditions and limitations set forth in 40 C.F.R. § 761.61. The approved plan may only be modified with prior written approval from the EPA Regional Administrator.

EPA's approval of KM's plan does not in any way constitute a finding by EPA that the Facility will be safe or appropriate for any future use, does not insulate the owner or occupant of the property from action under any applicable law, and does not relieve KM, or any other owner or operator of the Former SemMaterials, L.P. Facility of its continuing responsibility to comply fully with 40 C.F.R. Part 761. EPA emphasizes that these regulations include several conditions and limitations that apply to persons performing a PCB cleanup activity subject to 40 C.F.R. §761.61 (c). Among other things, the



regulations state that “[c]omplete compliance with 40 C.F.R. §761.61 does not create a presumption against enforcement action for penalties for any unauthorized PCB disposal.” 40 C.F.R. §761.50(b)(3)(ii)(B). Further, “[a]ny person storing or disposing of PCBs is also responsible for determining and complying with all other applicable Federal, state, and local laws and regulations.” 40 C.F.R. § 761.50(a)(6).

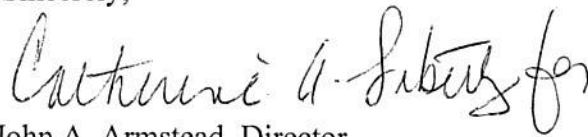
EPA is requesting that a brief summary of the completed cleanup activities, including but not limited to, sampling analytical results, copies of the accompanying analytical chains of custody, field and laboratory quality control/quality assurance checks, copies of manifests, copies of certificates of disposal and total amounts of PCB waste disposed, be submitted within ninety (90) days of completion to:

U.S. Environmental Protection Agency
Region III
Andrew Clibanoff (3LC30)
Land and Chemicals Division
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

KM has indicated its intention to prepare and record an environmental covenant consistent with the Pennsylvania Uniform Environmental Covenants Act (“UECA”), 27 Pa.C.S. §§ 6501 – 6517, and the regulations thereunder set forth in 25 Pa. Code Chapter 253, that will prohibit future use of groundwater from beneath the Facility for potable purposes and will prohibit future use of the Facility for residential purposes. A copy of the latest approved EPA/PADEP joint environmental covenant template can be found on EPA Region 3’s Corrective Action website at https://www3.epa.gov/reg3wcmd/ca/pdf/PA_modelEC_forRCRA%20.pdf. Proof that the covenant has been executed should be submitted to the EPA Regional Administrator within 60 days of completion of the cleanup activities.

Any questions concerning this approval should be directed to Andrew Clibanoff, Remedial Project Manager, at (215) 814-3391.

Sincerely,

A handwritten signature in black ink, appearing to read "John A. Armstead", with a stylized flourish at the end.

John A. Armstead, Director
Land and Chemicals Division

cc: Darren Scillieri, ARCADIS US Inc.
John Angevine, PADEP